

**IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF NEBRASKA**

UNITED STATES OF AMERICA,

Plaintiff,

vs.

CHRISTIAN GARNICA,

Defendant.

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CASE NO. 8:05CR77

**MEMORANDUM
AND ORDER**

This matter is before the Court on the Defendant's appeal from the Magistrate Judge's order regarding the matter of disclosure of confidential informants (Filing No. 35). The Defendant only appeals that portion of the Magistrate Judge's order directing the government to disclose the confidential informants fourteen days before trial. Defendant contends that gives him insufficient time to prepare his case. This case has been scheduled for trial on July 26, 2005, fourteen days from today.

Pursuant to 28 U.S.C. § 636(b)(1)(A) and NECrimR 57.2, the court has reviewed the order from which this appeal has been taken. In an appeal from a magistrate judge's order on a pretrial matter within 28 U.S.C. § 636(b)(1)(A), a district court may set aside any part of the magistrate judge's order shown to be clearly erroneous or contrary to law. 28 U.S.C. § 636(b)(1)(A); NECrimR 57.2(c).

I find nothing in the Magistrate Judge's order that is clearly erroneous or contrary to law. Disclosure of the confidential informants fourteen-days prior to trial provides the Defendant with sufficient time to prepare for trial. The Magistrate Judge's order recorded at Filing No. 27 is affirmed. Accordingly,

IT IS ORDERED:

1. The Statement of Appeal from the Magistrate Judge's Order (Filing No. 35) is denied;
2. The Magistrate Judge's Order recorded at Filing No. 27 is affirmed; and
3. Counsel for the United States is directed to disclose the confidential informants forthwith.

Dated this 12th day of July, 2005.

BY THE COURT:

s/Laurie Smith Camp
United States District Judge